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*Application*

Address to:  
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Washington, D.C. 20231

Application Number	09/360,947
Filing Date	July 27, 1999
First Named Inventor	Sumner, Jr., Charles E.
Group Art Unit	1623
Examiner Name	Murray, J.
Attorney Docket Number	1533.1340004/SRL/SEZ

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I am the:

- Applicant.
- Assignee of record of the entire interest.  
Certificate under 37 CFR 3.73(b) is enclosed.
- Attorney or agent of record.

Typed or Printed Name	Steven R. Ludwig
Signature	
Date	11/10/00

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POWER OF ATTORNEY FROM ASSIGNEE

SEP 06 2000

Archer-Daniels-Midland Company, a corporation of Delaware, having a principal place of business at 4666 E. Faries Parkway, Decatur, Illinois 62526, is assignee of the entire right, title and interest for the United States of America (as defined in 35 U.S.C. § 100), by reason of an Assignment to the Assignee executed on November 18, 1999 of an invention known as Methods for Separating a Tocopherol from a Tocopherol-Containing Mixture and Compositions Thereof (Attorney Docket No. 1533.1340004/SRL/SEZ), which is disclosed and claimed in a patent application of the same title by the inventor Charles E. SUMNER, Jr. (said application filed on July 27, 1999 at the U.S. Patent and Trademark Office, having Application Number 09/360,947).

The Assignee hereby appoints the following U.S. attorneys to prosecute this application and any continuation, divisional, continuation-in-part, or reissue application thereof, and to transact all business in the U.S. Patent and Trademark Office connected therewith: Robert Greene Sterne, Esq., Reg. No. 28,912; Edward J. Kessler, Esq., Reg. No. 25,688; Jorge A. Goldstein, Esq., Reg. No. 29,021; Samuel L. Fox, Esq., Reg. No. 30,353; David K.S. Cornwell, Esq., Reg. No. 31,944; Robert W. Esmond, Esq., Reg. No. 32,893; Tracy-Gene G. Durkin, Esq., Reg. No. 32,831; Michele A. Cimbala, Esq., Reg. No. 33,851; Michael B. Ray, Esq., Reg. No. 33,997; Robert E. Sokohl, Esq., Reg. No. 36,013; Eric K. Steffe, Esq., Reg. No. 36,688; Michael Q. Lee, Esq., Reg. No. 35,239; Steven R. Ludwig, Esq., Reg. No. 36,203; Raz E. Fleshner, Esq., Reg. No. 34,331; John M. Covert, Esq., Reg. No. 38,759; and Linda E. Alcorn, Esq., Reg. No. 39,588. The Assignee hereby grants said attorneys the power to insert on this Power of Attorney any further identification that may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office.

Send correspondence to:

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
1100 New York Avenue, N.W.  
Suite 600  
Washington, D.C. 20005-3934  
U.S.A.

Direct phone calls to 202-371-2600.

FOR: Archer-Daniels -Midland Company

SIGNATURE: X W. Marly

BY: David J. Smith

TITLE: Vice President, Secretary and General Counsel

DATE: X 8/10/00

**Certificate Under 37 C.F.R. § 3.73(b)**

Applicant/Patent Owner: Charles E. SUMNER, Jr.

Application No./Patent No.: 09/360,947 Filed/Issue Date: July 27, 1999

Filed/Issue Date: July 27, 1999

Entitled: Method for Separating a Tocopherol from a Tocopherol-Containing Mixture and Compositions Thereof

Archer-Daniels-Midland Company, a corporation (Name of Assignor) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. [X] the assignee of the entire right, title, and interest, or
2. [ ] an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A. [ ] An Assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. [X] A chain of title from the inventor(s) of the patent application/patent identified above to the current assignee as shown below:

1. From: Charles E. Sumner, Jr. To: Eastman Chemical Company  
The document was recorded in the Patent and Trademark Office at  
Reel 010198, Frame 0816, or for which a copy thereof is attached.

2. From: Eastman Chemical Company To: Archer-Daniels-Midland Company  
The document was recorded in the Patent and Trademark Office at  
Reel 010577Frame 0195, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

**[NOTE:** A separate copy (*i.e.*, the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Date: 8/10/00

Name: David J. Smith

Title: Vice President, Secretary and General Counsel

Signature: John Miller

Signature: \_\_\_\_\_

PAUSEBREKSTIKAU5531124000043 73(b) (en)

**ASSIGNMENT**

For good and valuable consideration received, I, **Charles E. Sumner, Jr.**, a citizen of the United States of America, residing at 4280 Orebark Road, Kingsport, Tennessee 37664-2876, U.S.A., do hereby sell and assign to **EASTMAN CHEMICAL COMPANY**, a Delaware corporation having a place of business at Kingsport, Tennessee, its successors and assigns, the entire right, title, interest and prior rights in and to all or our inventions, discoveries and improvements disclosed in an application for Letters Patent for "**METHODS FOR SEPARATING A TOCOPHEROL FROM A TOCOPHEROL-CONTAINING MIXTURE AND COMPOSITIONS THEREOF**" Application Serial No. 09/360,947, filed on July 27, 1999; and all right, title and interest in and to Letters Patent and similar protective rights granted on said application in the United States and other countries, as well as the right to claim any applicable priority rights arising from said application under the terms of any applicable conventions, treaties, statutes or regulations, said application filed and to be issued in the name of **EASTMAN CHEMICAL COMPANY** or its designee; and I agree to execute such documents as in the judgment of **EASTMAN CHEMICAL COMPANY** may be necessary to obtain any such patent and similar protective rights and vest and maintain the title thereto in **EASTMAN CHEMICAL COMPANY** or its designee; and I further agree that upon request, but without expense to me, I shall furnish the **EASTMAN CHEMICAL COMPANY** or its designee any data, information, exhibits, memoranda, or other evidence in our possession relating to any said inventions, discoveries, improvements, and to testify in any ex parte or inter partes legal proceedings relating to any of said inventions, discoveries, improvements, applications, patents or similar protective rights; and I authorize and request issuance of all Letters Patent and similar protective rights that may be granted on any of said applications, to the extent that and in such manner as such issuance shall be requested by **EASTMAN CHEMICAL COMPANY** or its designee. This document shall be governed, construed, and interpreted in all respects in accordance with the laws of the State of Tennessee, U.S.A.

I also authorize counsel for EASTMAN CHEMICAL COMPANY to enter above the filing date and serial number of the application when they become available.

I, Charles E. Sumner, Jr., have executed this Assignment this 26 day of July, 1999.

Charles E. Sumner, Jr.  
Charles E. Sumner, Jr.

ASSIGNMENT

WHEREAS, EASTMAN CHEMICAL COMPANY, a Delaware corporation having an office at 100 North Eastman Road, Kingsport, Tennessee 37660, is the owner of the entire right, title and interest in and to United States Patent Application 09/360,947 filed in the United States Patent Office on 27 July 1999 and the respective invention disclosed therein by virtue of an assignment from the inventor; and

WHEREAS, ARCHER-DANIELS-MIDLAND COMPANY, a corporation organized and existing under the laws of the State of Delaware, having a place of business at 4666 Faries Parkway, Decatur, Illinois 62526, is desirous of acquiring the entire right, title and interest in and to said United States Patent Application and respective invention disclosed therein.

NOW, THEREFORE, for and in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, said EASTMAN CHEMICAL COMPANY has sold, assigned and transferred, and does hereby sell, assign and transfer to said ARCHER-DANIELS-MIDLAND COMPANY, said United States Patent Application, any and all reissues thereof, and the invention of the foregoing, the same to be held and enjoyed by ARCHER-DANIELS-MIDLAND COMPANY for its own use and enjoyment and the use and enjoyment of its successors, assigns or other legal representatives, to the end of the term or term for which said patent is granted or reissued or extended as fully and entirely as the same would have been held and enjoyed by Eastman Chemical Company if this assignment and sale had not been made, as assignee of the entire right, title and interest therein and in and to all income, royalties, damages and payments now or hereafter due or payable with respect thereto in and to all causes of action (either in law or in equity) and the right to sue, counterclaim, and recover for past, present and future infringement of the rights assigned or to be assigned under this Assignment.

EASTMAN CHEMICAL COMPANY covenants that it has full right to convey the entire interest herein assigned, and that it has not executed, and will not execute, any agreements inconsistent herewith.

IN TESTIMONY WHEREOF, EASTMAN CHEMICAL COMPANY has caused this Assignment to be executed by its duly authorized officers this 18th day of November, 1999.

EASTMAN CHEMICAL COMPANY *CG*

[seal]

*Mary*  
Harry J. Gwinnell, Assistant Secretary and  
Assistant General Counsel

ATTESTATION OF WITNESS

I, Mary H. Harrison, whose full post office address is  
335 Whitehaven Dr., Kingsport, TN 37660, U.S.A.  
was personally present and did see Harry J. Gwinnell, who is personally known to me, execute  
the above assignment.

*Mary H. Harrison*  
Signature of Witness